

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.73208 of 2024**

Arising Out of PS. Case No.-209 Year-2023 Thana- HALSI District- Lakhisarai

Santosh Yadav @ Santosh Kumar Son of Saryug Yadav @ Saryu Yadav  
Resident of village - Post- Dhira, Ps- Halsi, Dist- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                              |
|--------------------------|---|------------------------------|
| For the Petitioner/s     | : | Mr. P.N. Shahi, Sr. Advocate |
|                          |   | Mr. Amit Anand, Advocate     |
|                          |   | Mr. Deep Shekhar, Advocate   |
| For the Opposite Party/s | : | Mr. Raj Ballabh Singh, APP   |
| For the Informant        | : | Mr. Arun Kumar, Advocate     |

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH  
MISHRA**

ORAL ORDER

5      31-01-2025                      Heard learned counsel for the petitioner, learned  
APP for the State, learned counsel for the informant and perused  
the case diary.

2. The petitioner seeks bail in connection with Halsi  
P.S. Case No. 209 of 2023, instituted for the offences punishable  
under Sections 341, 302, 120B/34 of the Indian Penal Code and  
Section 27 of the Arms Act.

3. The prosecution case, in short, is that, all the FIR  
named accused persons including this petitioner, variously  
armed, assaulted the father of the informant. It is further alleged  
that petitioner and co-accused Bittu Yadav assaulted with  
weapons and fired upon father of the informant due to which he  
sustained injuries and died.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that the petitioner is named in the FIR and the allegations are not made out against him. Name of the petitioner has been dragged in this case due to dirty village politics. The petitioner is in custody since 19.09.2023 and has got no criminal antecedent. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted regular bail by this Court vide order dated 21.06.2024 passed in Cr. Misc. No. 39983 of 2024.

5. Learned APP for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioner and submitted that as per paragraph no. 101 of the case diary, it appears that the petitioner is prime accused in this case and the postmortem report corroborates with the prosecution case. There is specific allegation against the petitioner of firing upon father of the informant due to which he sustained injuries and died. Hence, the petitioner does not deserve the privilege of bail.



6. Considering the aforesaid facts and circumstances of the case, nature of accusation and the gravity of the offence, this Court is not inclined to grant bail to the petitioner.

7. The prayer is rejected. The trial Court is directed to expedite the Trial expeditiously.

**(Rudra Prakash Mishra, J)**

Rajorshi/-

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